

From: [Jonathan Walling](#)
To: [Haley, Nicole](#); [Kennebeck, David](#)
Cc: [OCE](#)
Subject: Flow Meter Request COVID-19- Magellan Corpus Christi Splitter Facility
Date: Thursday, July 2, 2020 9:45:21 PM
Attachments: [20200701 Flow Meter Request COVID-19.pdf](#)
[COVID-19.pdf](#)
[image001.png](#)

Good evening, Ms. Haley:

The TCEQ has reviewed your request for enforcement discretion at Magellan's Corpus Christi Splitter Facility (Magellan) for the flow meter at EPN FL-1 to exceed a down time of greater than 5% of its annual operating time while repairs are being scheduled. The TCEQ will grant enforcement discretion applicable to New Source Review Permit 118270, Special Condition 32 (E) and 40 CFR 60.18(f)(4) and will be valid through July 10, 2020, which is the scheduled repair date. Repairs shall be made as soon as practicable by this date. If repairs are unable to be made due to challenges presented by the COVID-19 pandemic, please submit a new request for consideration.

At such time that the 5% is exceeded and until repairs are made, Magellan must estimate the flow of contaminants to the flare via available process knowledge or other available means.

Enforcement discretion is limited to the Texas Commission on Environmental Quality. It does not limit EPA's ability to enforce federal regulations.

Regulated entities must maintain records adequate to document activities related to any noncompliance under enforcement discretion, including details of the regulated entity's best efforts to comply.

Regards,

Jonathan Walling, Area Director
Coastal & East Texas Area
Texas Commission on Environmental Quality

From: Haley, Nicole <[REDACTED]>
Sent: Wednesday, July 1, 2020 1:46 PM
To: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>; OCE <OCE@tceq.texas.gov>
Cc: Kennebeck, David <[REDACTED]>
Subject: Flow Meter Request COVID-19

Good Afternoon,

Attached please find a request for enforcement discretion to operate the Flare (EPN: FL-1) with a flow meter down time greater than 5%. If you need additional information or have any questions please contact me. Hope you have a good day.

Thank you,
Nicole Haley
Environmental Air Specialist

[REDACTED]
Office: (361)903-1151

Mobile: (361)206-9956

Cell: (281) 386-1621



From: [Haley, Nicole](#)
To: [Haley, Nicole](#)
Subject: FW: Compliance
Date: Wednesday, July 1, 2020 1:42:28 PM
Attachments: [image548196.png](#)
[image591432.png](#)
[image944117.png](#)
[image370979.png](#)

From: Theresa Franco <[REDACTED]>
Sent: Tuesday, June 30, 2020 1:52 PM
To: Judkins, Sean <[REDACTED]> Kennebeck, David
<[REDACTED]> Renteria, Luis <[REDACTED]> Haley, Nicole
<[REDACTED]>
Cc: Ukele, Sean <[REDACTED]> Gonzalez, Tony <[REDACTED]>
Calhoun, Mark <[REDACTED]> LeBlanc, Derek
<[REDACTED]> Esparza, Victor <[REDACTED]>
Subject: RE: Compliance

Sent by an external sender. Use caution opening attachments, clicking web links, or replying unless you have verified this email is legitimate.

Sean,

That is correct, for several months we did not have our techs servicing jobs due to the Harris County stay at home COVID-19 order. We just started servicing again late May and jobs were delayed so we have a backlog we are filling at this time and are fully booked.

Please let me know if you need additional information.

Best regards,



Theresa Franco
Office Administrator
Fluenta Inc.
t: +1 832 456 2021
w: fluenta.com e: [REDACTED]



Accurate information for better decisions



1802 Poth Lane
Corpus Christi, TX 78407
(361) 903-1101

July 1, 2020

Via email:

Ramiro.Garcia@tceq.texas.gov

OCE@tceq.texas.gov

**RE: COVID-19 Enforcement Discretion Request
Flow Meter Equipment Malfunction for the Flare (EPN: FL-1)
Magellan Processing, L.P. (Magellan) – Corpus Christi Splitter
CN604541797; RN102536836; Air Permit 118270; Affected Permit: O-3882;**

Magellan Processing, L.P. is requesting enforcement discretion to operate the Flare (EPN: FL-1) with a flow meter down time greater than 5%. In the interim, data substitution will be based on historic actual flow data monitored and recorded for various operating conditions. On June 29, 2020, Operations noted during a flaring event that the flow meter on the Flare header had a negative reading. After reviewing records for the Flare it was determined that the flow meter had begun to malfunction on June 27, 2020. The flow meter for the Flare is required by New Source Review Permit (NSR) 118270, Special Condition 32(E). and 40 CFR § 60.18(f)(4). The Special Condition and the Federal Rule requires a continuous flow monitor that provides a record of the vent stream flow be installed and maintained. The exact cause of the malfunction is unknown at this time. Attempts to identify and correct the problem are ongoing including contacting the vendor for both technical support and requesting a site visit for physical support. The flow meter will be repaired or replaced as soon as possible.

Due to COVID-19 the repair of the equipment will take longer than expected. The vendor provided that for several months they were unable deploy their technicians to complete field service calls, due to the Harris County COVID-19 stay at home order. The company began servicing again in late May when the order was lifted. Due to a large backlog, they are fully booked at this time. Please see attachment.

Citation of rule/permit provision for which enforcement discretion is requested:
New Source Review Permit: 118720 S.C. 32.E and 40 CFR 60.18(f)(4).

If you have any questions or concerns regarding this request, please contact me at (361) 206-9956 or via email at [REDACTED]

Thank you,

Nicole Haley
Environmental Air Specialist